

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

RADHIKA VEGESNA, personal )  
representative of the Estate )  
of RAJESH PADMARAJU, deceased, )  
Plaintiff, )

- vs - )

ISD TRANSPORTATION COMPANY, )  
INC., MANDEEP SINGH, SAMINDER )  
SINGH, and SAMINDER SINGH )  
d/b/a ISD TRANSPORTATION )  
COMPANY, INC., )  
Defendants. )

No. 03-295 Erie  
Videotaped  
Deposition

RADHIKA VEGESNA, personal )  
representative of the Estate )  
of RAJESH PADMARAJU, deceased, )  
Plaintiff, )

- vs - )

SAMINDER SINGH )  
d/b/a ISD TRANSPORTATION )  
COMPANY, INC., )  
Defendant. )

No. 03-317 Erie

RADHIKA VEGESNA, personal )  
representative of the Estate )  
of RAJESH PADMARAJU, deceased, )  
Plaintiff, )

- vs - )

ISD TRANSPORTATION COMPANY, )  
INC., SAMINDER SINGH, )  
SAMINDER SINGH )  
d/b/a ISD TRANSPORTATION )  
COMPANY, INC., MANDEEP SINGH )  
and GURMINDER SINGH, )  
Defendants. )

No. 04-34 Erie

DEPOSITION OF: JHANSI PADMARAJU RAJ

**ORIGINAL**

**AKF**

1 DEPOSITION OF: JHANSI PADMARAJU RAJ

2 - - - -

3 DATE: May 6, 2005  
4 Friday, 3:11 p.m.

5 LOCATION: Conner Riley & Fryling  
6 17 West Tenth Street  
7 Erie, Pennsylvania

8 TAKEN BY: Plaintiff

9 REPORTED BY: Kristina Kircher  
10 Notary Public  
11 AKF Reference No. KK87638c  
12  
13 - - - -

14  
15 VIDEOTAPED DEPOSITION OF JHANSI PADMARAJU RAJ,  
16 a witness, called by the Plaintiff for examination,  
17 in accordance with the Federal Rules of Civil  
18 Procedure, taken by and before Kristina Kircher, a  
19 Court Reporter and Notary Public in and for the  
Commonwealth of Pennsylvania, at the offices of  
Conner Riley & Fryling, 17 West Tenth Street, Erie,  
Pennsylvania, on Friday, May 6, 2005, commencing at  
3:11 p.m.

## 1 APPEARANCES:

## 2 FOR THE PLAINTIFF:

Andrew J. Conner, Esq.

## 3 CONNER RILEY &amp; FRYLING

17 West Tenth Street

4 Erie, PA 16512

814-453-3343

5

## 6 FOR THE DEFENDANTS:

Edward Chiodo, Esq.

## 7 McKENNA &amp; CHIODO

436 Boulevard of the Allies

8 Fifth Floor

Pittsburgh, PA 15219

9 412-471-6226

10

## ALSO PRESENT:

11 Dale Evanoff, Videographer

Prashant Chaturvedi, Interpreter

12 Radhika Vegesna

13

14

## \* I N D E X \*

15 Direct Examination by Mr. Conner - - - - - 4

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(Exhibits retained by counsel.)

24

25

1  
2 (Exhibits A through M marked for identification.)

3 - - - -

4 JHANSI PADMARAJU RAJ,  
5 having been duly sworn,  
6 was examined and testified as follows:

7 - - - -

8 (The Interpreter was duly sworn.)

9 - - - -

10 MR. CONNER: I think for purposes of  
11 the record, I think we ought to have the  
12 interpreter's or translator's name, full name,  
13 on the record also and where he currently  
14 resides.

15 THE INTERPRETER: I'm Prashant  
16 Chaturvedi, and I currently reside at Erie,  
17 Pennsylvania. I'm an interpreter for these  
18 proceedings.

19 MR. CONNER: And you live in Erie,  
20 Pennsylvania?

21 THE WITNESS: I live in Erie,  
22 Pennsylvania.

23 MR. CONNER: We'll then start the  
24 deposition.

25 - - - -

## 1 DIRECT EXAMINATION

2 - - - -

3 BY MR. CONNER:

4 Q. As you know, I represent Radhika Vegesna, your  
5 daughter, in these proceedings arising out of  
6 the death of your son, Rajesh Padmaraju. I  
7 will be asking you some questions today that is  
8 on videotape, and Mr. Chiodo who represents  
9 ISD, Saminder Singh, and Mandeep Singh will  
10 also be asking you some questions today.

11 We have the benefit of an excellent  
12 interpreter and translator. If you cannot  
13 understand my questions or understand the  
14 questions of Mr. Chiodo, feel free to rely on  
15 the interpreter if necessary. I don't think it  
16 will be necessary, but nonetheless, he's here  
17 for those purposes.

18 Would you state your full name for  
19 the record, please? Your name.

20 A. Padmaraju Jhansi Raj.

21 Q. And you currently reside in India; is that  
22 correct?

23 A. Yes.

24 Q. So that we have on the record where you  
25 currently reside, could you tell us what your

1 address is as to the present date?

2 A. (Interpretation.) In India, 501 Green Park  
3 Apartments, Siddhartha Nagar, Hyderabad, India.

4 Q. And maybe just to expedite things, speed things  
5 up a little bit, we have had the benefit of a  
6 bank record that's been marked as Deposition  
7 Exhibit I. You can identify that as your bank  
8 record? Is that a copy of your bank record?

9 A. (Interpretation.) Yes, yes.

10 Q. Now, with regards to the address on the bank  
11 record, is that your current address?

12 A. Current address, flat address.

13 Q. That's the flat address?

14 A. Flat address. This is apartment address.

15 Q. Okay, have you been residing at that address  
16 from approximately 1999 to the present date?

17 A. From '99 to present date, we are staying there  
18 only.

19 Q. Okay, now, let me go back at this point in time  
20 so we have it on the record. What is your date  
21 of birth?

22 A. 14th September, 1947.

23 Q. Okay, and have you resided in India  
24 continuously from 1947 until the present date?

25 A. I am residing in India only.

1 Q. Okay, and with regards to making any trips to  
2 the United States, is the first and the only  
3 trip you made to the United States --

4 A. This is the first time.

5 Q. And you came, what, two or three days ago to  
6 the United States?

7 A. Only two days before.

8 Q. Okay, with regards to your current marital  
9 status, what is your current marital status?  
10 Are you married?

11 A. My husband passed away.

12 Q. Okay, and again, maybe to expedite things, did  
13 he pass away in March of 2000?

14 A. 2001, March 1st.

15 Q. We have mentioned Rajesh, but before I do that,  
16 how many children were born of the marriage  
17 between you and your husband?

18 A. Three, two daughters and one son. Rajesh is  
19 the middle one, two daughters.

20 Q. Okay, and the names of your -- we have --

21 A. Rajyalakshmi, the elder one. Vegesna Radhika,  
22 the second daughter, and Padmaraju Rajesh, son.

23 Q. With regards to your three daughters and your  
24 son, we do have a photograph that's been  
25 identified as Exhibit K for these proceedings.

1 Take a moment to take a look at the photograph.  
2 Tell us whether or not you can identify the  
3 people that are shown in that photograph.

4 A. She is the eldest one, the daughter, and Rajesh  
5 in the middle, and Radhika is the left.

6 Q. So reading from going from right to left --

7 A. Rajesh, middle. Rajyalakshmi, my older  
8 daughter, and she is on the left.

9 Q. Radhika is on the left; is that correct?

10 A. (Interpretation.) Radhika is on the left.

11 Q. And with regards to the child that the --

12 A. My daughter's son.

13 Q. Oh, son.

14 A. She's having son, and Radhika is having  
15 daughters.

16 Q. Just so that the Court and jury understands  
17 approximately when this photograph was taken,  
18 can you give us an idea just approximately when  
19 year that would have been taken?

20 A. I think before Rajesh comes to India -- before  
21 America? Before Rajesh comes to America.

22 Q. So we know that, he came to America sometime in  
23 1998?

24 A. '98, February '98.

25 Q. Okay, with regard to the education of Rajesh,



1 I'd like to ask you some questions about that.  
2 We have marked as exhibits here, starting with  
3 his secondary education which is Exhibit A  
4 which purports to be the records from the  
5 Little Flower High School. Do you recognize  
6 that as his transcript of grades for the little  
7 Flower High School?

8 A. Yes. This is 10th class.

9 Q. And that would be his -- be his 10th grade  
10 class; is that correct?

11 A. He got first division.

12 Q. Okay, would this have been a document that you  
13 would have received at your home in a sense  
14 this would have been mailed to you or provided  
15 to you by the school?

16 A. (Interpretation.) Schools in India, after  
17 completing 10th class, the government will  
18 review like this.

19 Q. Putting aside the actual record, what was your  
20 understanding as how he was doing in school?

21 A. He was doing very nicely in education and in  
22 the games and activities that were there.

23 Q. Now, after he would have completed that school,  
24 would he have gone on to the intermediate  
25 school?

1 A. Intermediate, 11th and 12.

2 Q. I'll show you what's been marked as Exhibit B  
3 for these proceedings. Can you identify that  
4 document?

5 A. Yes. This is the document, 11th, 10th, and  
6 12th.

7 Q. What is the name of school that he attended  
8 when he went to the 11th and 12th?

9 A. Eleventh, ten, and twelfth, he got out of  
10 school, he went on to some college, some junior  
11 college.

12 Q. Okay, now, it would appear -- and correct me if  
13 I'm wrong -- he didn't do quite as well in 11th  
14 and 12th grade as he did in 10th grade; is that  
15 correct?

16 A. (Interpretation.) He got second division, no?  
17 That is also --

18 THE INTERPRETER: Slightly he did  
19 less, but you know.

20 Q. Now, after he completed the schooling that  
21 showed in Exhibit B, I'd like to show you  
22 what's been marked as Exhibit C. And we have  
23 clumped together the records here for this  
24 Kuvempu University. You can take a moment,  
25 take a look at that. I'd like to ask you some

1 questions about that.

2 A. Yes. Degree -- he has done degree here,  
3 Kuvempu University.

4 Q. Okay, is that a college or university that he  
5 attended?

6 A. University only, Kuvempu University, not  
7 college. This is the university.

8 Q. And is that a four-year program?

9 A. Four-year program.

10 Q. And did he complete that program?

11 A. He completed in first class, first division.

12 Q. And --

13 A. That in engineering and computers. He did it  
14 in computers.

15 Q. All right, again, that was the engineering, he  
16 graduated with an engineering certificate or  
17 degree. But it was concentrated in computer  
18 science; is that correct?

19 A. Yes, computer science.

20 Q. Okay, with regard to -- with regard to his  
21 grades at Kuvempu University, we have many  
22 pages here. I'm not going to ask you about  
23 that. I'm just going to ask you about one  
24 entry here. It's stamped first class.

25 A. He got first class.

1 Q. After he completed his university education at  
2 the Kuvempu University as indicated in -- first  
3 of all, we should have a date for this. It  
4 looks like this bachelor of engineering is  
5 issued in '96; am I correct?

6 A. Yes.

7 Q. Is that when he would have completed the  
8 school?

9 A. '97.

10 Q. 1997, excuse me. Is there a date?

11 A. Date, '97, May.

12 Q. Okay, May of '97. Upon completion of that, was  
13 he continuing to reside at your home with you?

14 A. He was doing six months' computer course.

15 Q. But he was living with you?

16 A. He's living with me only.

17 Q. Okay, I'm going to then go through the other  
18 courses. If you could, just help us out. We  
19 have a program that we have a certificate here  
20 that's been marked as Exhibit D, and could you  
21 just tell us just briefly what that is?

22 A. This is a six-month course, complete computer  
23 languages. After that, there is a degree, no,  
24 they won't tell all languages, so he had the  
25 rest languages, he learned from here, computer.

1 Q. And that's Exhibit D. Now, we're going to  
2 Exhibit E which is another certificate. Was  
3 that also a program that he participated in?

4 A. This is another language in computer, Java.  
5 This is another language. In computer  
6 language, there are so many languages will be  
7 there.

8 Q. Okay, and in Exhibit G, there's also a  
9 certificate, is there not? And tell us whether  
10 or not that was another program that he  
11 participated in after he completed his  
12 university education before he came to the  
13 United States?

14 A. I don't know about this, because in America, I  
15 don't know.

16 Q. So you don't know about Exhibit G. Well, let  
17 me go -- and that's fair too because I misled,  
18 to be honest with you. I wasn't paying  
19 attention. I see there's a date of 2000. That  
20 was after he was in the United States. I'm  
21 going to go then to Exhibit F. Take a moment,  
22 take look at Exhibit F.

23 A. Vision, I know this. These are also a  
24 language.

25 Q. And that would have been --

1 A. Training, some training, in computer and  
2 training.

3 Q. Okay, and it looks like he completed that.  
4 According to the document, it's a 28-day  
5 program. It looks like it was completed --  
6 help me out. Is that May 16, 1998?

7 A. Yes.

8 Q. Okay.

9 A. Before he's coming to U.S., no, he did this  
10 course.

11 Q. Okay, now, I wanted to just digress a second.  
12 He came to the United States, and can you tell  
13 us just approximately what year it was?

14 A. When he's coming -- (interpretation). '98,  
15 May.

16 Q. Why did he decide to go to the United States?

17 A. He likes U.S. always. He's telling: Mommy,  
18 I'll go to U.S. I will get job there. I will  
19 earn money like that, he's telling, from  
20 dollars.

21 Q. Did he express to you a desire to become  
22 employed and obtain a good job in the United  
23 States?

24 A. (Interpretation.) He's always interested to go  
25 to the U.S.

1 Q. Okay, now, with regards to relatives in the  
2 United States, so it's important that the jury  
3 understands what relatives, if any, he would  
4 have had in the United States when he came to  
5 the United States.

6 A. (Interpretation.) In Detroit, Radhika's  
7 husband's brother is there.

8 Q. Could you tell us what his name is?

9 A. Vegesna Ravi.

10 Q. We have known him and made reference to him as  
11 Ravi; is that correct?

12 A. Ravi.

13 Q. And he is married to a relative of yours?

14 A. The divorce, and he got children.

15 Q. Would that have been Rajesh's primary contact  
16 in the United States?

17 A. United States, yes.

18 Q. Okay, when Rajesh came to the United States,  
19 was it your understanding that he initially  
20 came to Detroit for a while?

21 A. (Interpretation.) Detroit. He came to Detroit  
22 only first.

23 Q. And then thereafter, you never came to the  
24 United States to visit him; is that correct?

25 A. No. This is the first time.

1 Q. Okay, can you tell us whether or not at some  
2 point after the time period that he was in  
3 Detroit he moved to the Boston area?

4 A. Yeah. He got the job in Boston.

5 Q. Okay, and then we know at the time of death, he  
6 was actually in transit or traveling from  
7 Massachusetts back to visit Ravi in Detroit; is  
8 that correct?

9 A. (Interpretation.) He was driving from Boston  
10 to Detroit on that day.

11 Q. Based upon your discussions with Ravi or,  
12 excuse me, Rajesh, can you tell us what your  
13 understanding is as to whether or not Rajesh  
14 intended to move back to Detroit?

15 A. If he got a salary more, and he financially  
16 want more money, if he got more good job, he  
17 want to shift, and Ravi is there, not here.

18 Q. And why did he want to go back to Detroit?

19 A. No, he didn't come now to Detroit. He didn't  
20 come to Detroit. He's still doing job in  
21 Boston only. If in future, he's expecting to  
22 come.

23 Q. To Detroit?

24 A. Ah-huh, future, not --

25 Q. Okay, now, I want to come back to -- before I



1 go through the booklet that we have here today,  
2 which we have marked as an exhibit, and frankly  
3 possibly this is a good time to do this,  
4 because we talked about Ravi.

5 And we're going ahead and out of  
6 sequence a little bit, but I'm going to show  
7 you what's been marked as Exhibit J for these  
8 proceedings. And it's a black folder that has  
9 file sections in -- within the folder.

10 Some of the file sections, the  
11 information is there. Some of the file  
12 sections, they don't have any file sections to  
13 it, but I want to, just for purposes of this  
14 record, establish whether or not this  
15 particular document and file folder came back  
16 with documents in it back from the United  
17 States after Rajesh's death.

18 A. Yes.

19 Q. Okay, and with regards to the person who sent  
20 it back to you, was it Ravi that sent the  
21 particular exhibit?

22 A. Ravi sent these documents.

23 Q. Okay, and with regards to the actual  
24 maintenance of what we've identified here as  
25 Exhibit J, do you understand that this was

1 obtained from your son, Rajesh's, apartment?

2 A. (Interpretation.) Rajesh apartment.

3 Q. At some time after his death?

4 A. Yes.

5 Q. Okay, I want to then show you some documents.

6 And we have made copies here, so there's much  
7 more documents than this than what was in  
8 there.

9 But I just want to ask you whether or  
10 not these documents were in the containers.  
11 And I could represent to you that they are all  
12 employment records, and except for the first  
13 employment record, which has a '97 date, which  
14 I'll talk to you about all relate to his  
15 employment in the U.S. from 1998 up until the  
16 time of his death in 2001.

17 And by looking at those documents,  
18 are those the type of -- those documents came  
19 out of the file that contained the package that  
20 we've marked here as Exhibit J?

21 A. Yes.

22 Q. Okay, now, with regards to -- you were -- I  
23 did, I think, mention that there was an  
24 exception. The first document, I think, is a  
25 -- represents, I think, some employment

1 information regarding your son in India.

2 A. Yes. This is not a -- small job. This is a  
3 training job.

4 Q. Okay, and that was a job that he had in India  
5 before he went to the United States; is that  
6 correct?

7 A. Yes.

8 MR. CHIODO: You know what? Before  
9 we go forward, what's the exhibit on that the  
10 letter?

11 MR. CONNER: It is marked as -- I  
12 have to read it upside down. It's Exhibit L.

13 MR. CHIODO: Just for the record,  
14 since we're on tape here for use at trial, I'm  
15 going to place an objection as to those  
16 documents being hearsay. And I haven't had a  
17 chance to go through each individual one, but I  
18 just want to retain my objection with regard to  
19 the documents and anything asserted to be the  
20 truth therein as being hearsay.

21 MR. CONNER: I understand. I just  
22 want to document the fact that she's already  
23 indicated that those documents did come from  
24 that file folder.

25 BY MR. CONNER:

- 1 Q. Okay, now, I want to ask you about between the  
2 time period that Rajesh came to the United  
3 States and the time of his death. What is your  
4 recollection as to how many times he came back  
5 to India to visit?
- 6 A. Two times.
- 7 Q. Okay, and in addition to coming -- and I'll  
8 talk to you about those two trips. In addition  
9 to coming back, did he also keep in touch with  
10 you by phone?
- 11 A. Yes, regularly.
- 12 Q. Okay, just how frequently?
- 13 A. Frequently.
- 14 Q. And can you give us just an approximation of --
- 15 A. Two weeks, once like that.
- 16 Q. Okay, now, with regards to when he came back,  
17 can you just give us your best estimate is the  
18 first time he came back and how long he stayed?
- 19 A. One month.
- 20 Q. And what year was that? Was that 1998 or 1999?
- 21 A. 2000, 2000 February, he came.
- 22 Q. Okay, and did he come back in 2001 also?
- 23 A. Fifteen days, two weeks.
- 24 Q. Okay, so he came back first time for a month,  
25 and then the next year, 2001, he came back for

1 two weeks; is that correct?

2 A. Yes.

3 Q. Now, I think you've indicated, but if you  
4 haven't, what was the date of the death of your  
5 husband?

6 A. 2000, March 1st.

7 Q. Was Rajesh here? Was Rajesh here? Was he in  
8 India?

9 A. No. Three days before he went to U.S., three  
10 days before. It was March 1st. 27th, 26th, he  
11 went to the U.S.

12 Q. So he just left India to go back after his  
13 father died?

14 A. Yes.

15 Q. Okay, now, with regards to his employment, did  
16 you have occasion to talk to him from time to  
17 time either on the telephone or when he came  
18 back in 2000 and 2001 as to the type of work he  
19 was doing in the U.S.?

20 A. (Interpretation.) No, not ever job, only just  
21 family relations. He's doing job, no, not like  
22 that. I didn't ask anything.

23 Q. So you understood that he was working?

24 A. Working nicely.

25 Q. And did you understand he was working in the

1 computer business?

2 A. Business, computer.

3 Q. Now, I want to then switch topics for a second.

4 You indicated that your husband passed away in,  
5 I think, March of 2000?

6 A. March of 2000, 2000.

7 Q. Okay, now, prior -- after Rajesh went to the  
8 U.S. to start working and prior to your  
9 husband's death, can you tell us whether or not  
10 Rajesh provided financial support to you for  
11 purposes of purchasing a flat?

12 A. Yes.

13 Q. Okay, we have a deed here that -- or documents  
14 here. I'm going to show you the document.  
15 It's called sale deed. It's been marked as  
16 Exhibit H. Can you tell us --

17 MR. CHIODO: I have the same  
18 objection.

19 BY MR. CONNER:

20 Q. Can you tell us whether or not Exhibit H,  
21 recognizing it's a copy of an original  
22 document--

23 A. Yes, this is mine.

24 Q. Is that a copy of the sale document?

25 A. Sale document. That's my flat.

1 Q. Okay, and is that the flat that you currently  
2 live in?

3 A. (Interpretation.) We are staying there only.

4 Q. Okay, now, so that we have on the record -- and  
5 I think the record speaks for itself. But I  
6 think that the transaction is dated September  
7 of '99. Can you tell by looking at the  
8 document or from your memory whether or not the  
9 transaction occurred in September of '99?

10 A. (Interpretation.) Yes, it is correct.

11 Q. With regard to the flat itself, could you just  
12 give us a description of the flat, if you will?  
13 I mean, how many rooms it is?

14 A. Two-bedroom flat.

15 Q. Is it a second floor? Is it a first floor?

16 A. Fifth floor.

17 Q. Fifth, okay.

18 A. Apartment, one.

19 Q. And why did you buy the flat at that time, if  
20 you could?

21 A. Because until that time, when we didn't buy any  
22 flat. Just there, I rented. And monthly, I  
23 have to spend more money, no? If I buy a flat,  
24 I can stay there permanently, and immediately,  
25 I bought the flat.

1 Q. Okay, with regards to the purchase price of the  
2 flat, we don't need the exact number, but if  
3 you could, tell us what you recall or, looking  
4 at the documents, what the purchase price of  
5 the flat was.

6 A. 4 millions.

7 THE INTERPRETER: U.S. dollars, it  
8 comes to \$8,000.

9 A. \$8,000 in dollars.

10 Q. Where did you and your husband obtain the money  
11 to purchase that flat?

12 A. Rajesh only send the money.

13 Q. Okay, now, with regards to documents, that is,  
14 banking documents or receipts and things like  
15 that, do you have any of those documents that  
16 actually document Rajesh sending you that  
17 money?

18 A. (Interpretation.) He is sending money but cash  
19 only, no, so no documents.

20 MR. CHIODO: I'm going to place an  
21 objection on the record and move to strike all  
22 this testimony with regard to these  
23 transactions that there is no foundation or  
24 records with regard to support these alleged  
25 distributions of cash or gifts of cash. And I



1 certainly want to preserve that for the record  
2 at this point in time.

3 BY MR. CONNER:

4 Q. With regards to the purchase of this flat,  
5 first of all, was this important to you?

6 A. Yes.

7 Q. Was it beneficial to you?

8 A. Yes, very much.

9 Q. Okay, did you have any other means of  
10 purchasing the flat other than by having Rajesh  
11 provide?

12 A. No, no other means.

13 Q. Okay, with regards to your banking records and  
14 specifically with regards to Rajesh making  
15 additional financial contributions to you in  
16 time periods after 1999 but prior to his death,  
17 we have another record here, and I'm going to  
18 show you what has been marked as Deposition  
19 Exhibit I so that we can identify the record.

20 First of all, is this a bank  
21 statement for your banking records?

22 A. (Interpretation.) Oh, bank statement, bank  
23 statement; it is a government bank.

24 Q. And that is your bank statement; is that  
25 correct?

- 1 A. Yeah.
- 2 Q. Your own personal?
- 3 A. Ah-huh, my name, in my name.
- 4 Q. Now, we don't have the name of the bank.
- 5 A. Andhra Bank.
- 6 Q. And the bank is listed in the upper right-hand  
7 corner, and you'll have to help me out.
- 8 A. Government Undertaking Bank.
- 9 Q. And is that a local bank that you have banked  
10 at least as of 2001 through the present date?
- 11 A. (Interpretation.) Ah-huh, this bank only.
- 12 Q. Now, I think this particular record only goes  
13 back to 2001. It doesn't go back to 2000 or  
14 '99. Do you have the 2000 or '99?
- 15 A. I tried, but that bank, the computer, they  
16 dislocated it. The computer, no, it is not  
17 there. I asked them.
- 18 Q. You tried to go back and get the earlier  
19 records, and those records are not there; is  
20 that right?
- 21 A. No, they're not there in the computer.
- 22 THE INTERPRETER: She says that  
23 there's no record of any data before 2001.
- 24 A. I asked them.
- 25 Q. Okay, now, I want to then talk to you about

1 just one transaction that is evidenced on this  
2 account, and if you'll take a look at the  
3 transaction that's entered for the time period  
4 of, I think, May 17th, 2001, and take a moment.  
5 Take a look at that, and see if you can see  
6 that transaction.

7 A. Yes.

8 Q. Does that indicate that there was a cash  
9 deposit into that bank account of approximately  
10 2 million rupees?

11 A. Yes.

12 Q. With regards to that deposit, who provided the  
13 funds for that particular department?

14 A. Rajesh sent money.

15 Q. So that's money that Rajesh sent you; is that  
16 correct?

17 A. Yeah.

18 Q. Now, with regard to -- did you ask him for that  
19 money?

20 A. Yes. Because I got bank loans, I had to clear  
21 the loans.

22 Q. Had you had discussions --

23 A. I wrote checks or for them. He had checks. I  
24 gave checks for that, he sent.

25 Q. So from time to time --

1 A. From time to time, whenever I need money. I  
2 had to pay the money at that time, he sent it,  
3 like that.

4 Q. Was that beneficial to you?

5 A. Yes, very much.

6 Q. Why was that beneficial to you?

7 A. Because I can clear all the loans from there,  
8 the tension all loans and that. I can clear  
9 the loans on there.

10 Q. Now, in addition -- and I'm just talking  
11 generally. In addition to the deposit that we  
12 have identified here on exhibit -- this  
13 particular exhibit which is -- again, for the  
14 record, I have to see what the exhibit sticker  
15 is. It's Exhibit I.

16 And not necessarily reflected on  
17 that, but in addition to the \$4,000 that Rajesh  
18 would have sent in May of 2001, either before  
19 his death or after his death in 2001, did he  
20 also send additional cash to you?

21 A. (Interpretation.) No. After 2001, no.

22 Q. No. I said either before or after.

23 A. Before he sent -- before 2001 -- he sent.

24 Q. He did, okay.

25 MR. CHIODO: I'm going to place the

1 same objection on the record. I don't think  
2 there's sufficient foundation in terms of  
3 documentary proof of these alleged cash  
4 distributions. I certainly don't see them in  
5 the bank records with the exception of the one  
6 transaction, and I'm going to move to strike  
7 any reference to those alleged cash payments  
8 without some proof.

9 MR. CONNER: I'm not sure that the  
10 records are required by the law.

11 MR. CHIODO: They may or may not be,  
12 but I'm going to preserve my right to  
13 objection.

14 BY MR. CONNER:

15 Q. Just so that we know too, with regards to  
16 documents that came out of Exhibit J which is a  
17 bank -- which is the black folder that had the  
18 various documents, I'm going to show you what's  
19 been marked as Exhibit M. If you'll take a  
20 moment, take a look at that document. And that  
21 is a document from the Fleet Bank in Boston, I  
22 believe, that has a date on it in May of 2001,  
23 does it not?

24 MR. CHIODO: And I'll object to the  
25 exhibit as being hearsay, the document.

1 A. (Interpretation.) I don't know.

2 BY MR. CONNER:

3 Q. Okay, but my question is this. Was this  
4 particular exhibit, M, part of the booklet?

5 A. (Interpretation.) I think so.

6 MR. CHIODO: Can I see that document?

7 MR. CONNER: Yeah, sure. I have  
8 other companies for you.

9 BY MR. CONNER:

10 Q. I wanted to go to the bottom signature.

11 A. Rajesh's signature.

12 Q. So Rajesh's signature is on the document  
13 itself; is that correct?

14 A. Yes.

15 Q. Okay, and if he would have had that in Boston  
16 back in 2001, this would have -- that document  
17 would have come back in all probability in this  
18 black notebook?

19 MR. CHIODO: Objection to the form of  
20 the question.

21 A. (Interpretation.) Yes, that book only.

22 BY MR. CONNER:

23 Q. I want to then talk a little bit more about  
24 Rajesh and his background. I want you to help  
25 us out a little bit. Tell us about what you

1 understood his health was.

2 A. He was good. Health-wise, he was very good.

3 Q. Was his health good as a youngster all the way  
4 up through the time he left India and went to  
5 the United States?

6 A. (Interpretation.) Yes.

7 THE INTERPRETER: Yes.

8 Q. And as an example, was he a smoker?

9 A. No.

10 Q. Was he a user of tobacco?

11 A. No.

12 Q. Did he drink alcoholic beverages?

13 A. No.

14 Q. Did he engage in any type of wild or dangerous  
15 activities?

16 A. No.

17 Q. Now, I want to just talk a little bit of other  
18 things about his character traits. Why don't  
19 you tell us a little bit about his personality  
20 if you would?

21 A. He was of good character. He was well in  
22 behavior, well-mannered.

23 Q. And what about his temperament? Can you tell  
24 us a little bit more about temperament?

25 A. Good qualities.

1 Q. He kept his temper under control?

2 A. Oh, yes.

3 Q. How about work habits? Can you tell us about  
4 that?

5 A. (Interpretation.) He is sincere in work. He's  
6 very hard working. He's sincere, hard working,  
7 and mixed well mixing personality, loving  
8 personality.

9 Q. And with regards to --

10 A. Honest personality.

11 Q. Okay, with regards to organizational skills --

12 A. He's very good in mathematician. In the  
13 computer language, he is the leader of the --  
14 he is the team leader.

15 Q. Okay, and with regards to his goals in seeking  
16 high quality employment, did he have those  
17 goals?

18 A. Yes. (Interpretation.) Ambition, high.

19 Q. I want to then go to his death. You were not  
20 in the United States at the time of his death;  
21 is that correct?

22 A. (Interpretation.) No, I am not there. I'm in  
23 India.

24 Q. Understood. With regards to correspondence  
25 with his employer after his death, I would like



1 to show you an exhibit and ask you whether or  
2 not -- this is Exhibit N, whether or not this  
3 was the correspondence you received from his  
4 employer after his death.

5 A. Yes.

6 MR. CHIODO: I'll object to the  
7 document as being hearsay.

8 A. Yes, it is.

9 BY MR. CONNER:

10 Q. You would have received that at India?

11 A. In this, you can find out his personality, that  
12 they wrote the personality, good personality,  
13 not ever -- in this.

14 Q. Now, with regards to a trial in this case,  
15 which we're now in May of 2005. A trial may  
16 take place in maybe the summer of 2005. Would  
17 it be difficult for you to come back to the  
18 United States to participate in the trial?

19 A. Yes, very difficult.

20 Q. Why would it be difficult for you to come back?

21 A. Because my health is not good.

22 Q. What type of health problems do you have?

23 A. I've got the high blood pressure and mental  
24 depression. Vertigo is there. That swelling  
25 is there. Heart problems I've got after

1 Rajesh's death.

2 MR. CHIODO: I certainly don't have  
3 any objection to her understanding of what  
4 she's testifying to, but as to any diagnosis or  
5 conclusion with respect to the mental  
6 depression, I'm going to lodge an objection as  
7 to any testimony regarding that or the  
8 relatedness of any of the conditions that she's  
9 relating to this incident without further  
10 medical proof of the same.

11 MR. CONNER: Could just take a --  
12 let's go off the record for a second.

13 - - - -

14 (Exhibits N through U marked for identification.)

15 - - - -

16 BY MR. CONNER:

17 Q. I want to go through some additional  
18 photographs so we can identify who the people  
19 are in the photographs, and if you can, help  
20 us, where they were taken and approximately  
21 when they were taken.

22 So I'll just go through the  
23 individuals. I'm going to show you what's been  
24 marked as Exhibit O. Tell us who is shown in  
25 that photograph.

1 A. In this, Rajesh, my daughters, two daughters,  
2 and myself.

3 Q. Okay, and Rajesh has his arm around you; is  
4 that correct?

5 A. Yes, yes.

6 Q. You're on the left?

7 A. Yes.

8 Q. And your two daughters are -- they're on the  
9 right?

10 A. The other two daughters. When he came to  
11 India, in 2000, February, it was at that time.

12 Q. February of 2000 that photograph was taken; is  
13 that right?

14 A. Yes.

15 Q. And now, with regards to Exhibit P, maybe you  
16 could help us out. Tell us --

17 A. My daughter's son, my eldest daughter's son, my  
18 grandson, and Rajesh.

19 Q. Did he like children?

20 A. Very nice. He liked small children.

21 Q. And can you tell us approximately when that was  
22 taken?

23 A. Oh, 10 years back like that.

24 Q. Okay, would that be before he went to the  
25 United States or after he went?

1 A. No, no. My eldest son, this one, he got that  
2 12 years. He's two years, no, eight years like  
3 that, eight years back photo.

4 Q. Okay, let's go to --

5 MR. CHIODO: Just so that we're  
6 clear, we're not sure when that was taken, 10,  
7 12 years ago.

8 BY MR. CONNER:

9 Q. That's, yeah, back in the early 1990s possibly?

10 A. Oh yes.

11 Q. I'm, going to talk about T. Who is shown  
12 there?

13 A. That is my eldest, Radhika's, daughter came to  
14 Detroit, so he came to see her, Detroit, in the  
15 airport, Detroit airport.

16 Q. So this was taken in the Detroit airport as you  
17 understood it?

18 A. Ah-huh. He came to Detroit to be generous, no?  
19 He came to Detroit then.

20 Q. Her daughter --

21 A. Her daughter came at that time, Detroit, to  
22 Ravi's house, Ravi's house.

23 Q. Okay, and showing you what's been marked as  
24 exhibit -- I guess we should start with Q. Why  
25 don't you tell us who is identified in Q?

1 A. My Radhika's, her first daughter. He likes  
2 Ishita. Her name is Ishita. Rajesh likes her  
3 more.

4 Q. And with regards to approximately when this  
5 photograph was taken, can you help us out?

6 A. It is approximately six -- five years back like  
7 that.

8 Q. So that would be back about 2000?

9 A. Ah-huh.

10 Q. Now, I want to go to Exhibit S, and this has  
11 the bank -- the Boston Company in the  
12 background.

13 A. Boston Company.

14 Q. Okay, is Rajesh shown in that photograph?

15 A. Yes. Here is Rajesh.

16 Q. Okay, do you know who the are other individual  
17 that is shown in that photograph?

18 A. I don't know. He may be a colleague. I don't  
19 know.

20 Q. And with regards to Exhibit R, maybe you could  
21 help us out and tell us.

22 A. He liked the sceneries, no? Rajesh only see  
23 good scenery.

24 Q. That is Rajesh?

25 A. Ah-huh.

1 Q. And is that a photograph that was taken after  
2 he came to the United States?

3 A. Yes, yes.

4 Q. Okay, now, again, with regards to Exhibit J,  
5 out of Exhibit J, I want to show you what's  
6 been -- I'll just confirm. I'm going to show  
7 you Deposition Exhibit U which are his  
8 immigration documents stapled together.

9 A. Yes, these are correct.

10 Q. Okay.

11 MR. CHIODO: I'm going to object as  
12 to the relevancy of those documents.

13 BY MR. CONNER:

14 Q. And these immigration documents came out of  
15 this booklet?

16 A. Yes.

17 Q. Okay, now, I want to go back just to touch on a  
18 couple other bases. With regards to the  
19 traditions in your society and in your culture,  
20 when your husband should pass away like your  
21 husband did in March, what is the customary  
22 obligations of a son to support his mother?

23 A. In our custom, for my husband is there, also  
24 son only would see that, father and mother.  
25 Son is responsible the person. My daughters is

1 not responsible. The son is responsible.

2 Q. So as part of your culture from time to time,  
3 would it be expected for Rajesh to provide you  
4 with financial support?

5 A. Yes, yes.

6 Q. With regard to Rajesh's long-term goals, I'm  
7 talking about goals had he survived and not  
8 died on October be 5, 2001, did I hear you say  
9 earlier that his plan was to hopefully move  
10 back to Detroit?

11 A. (Interpretation.) He wanted to shift to  
12 Detroit.

13 Q. Okay, and did he tell you why he wanted to go  
14 to Detroit?

15 A. If he got good job, he said that if he got a  
16 good job with that company, he will shift  
17 there.

18 Q. With regards to the procedure of men, males, in  
19 your society marrying, so that we understand  
20 what is done in your culture, is there a  
21 process as part of your culture that the family  
22 selects the bride for the --

23 A. Yes, family will select the bride.

24 Q. Had that point in time come in Rajesh's life  
25 where you would participate in selecting his

1 bride?

2 A. Yes.

3 Q. Okay, as of the time of his death, had you  
4 selected his bride?

5 A. No. After getting good, job after shifting to  
6 Detroit, he wanted to marry. After settling,  
7 full settling, he wanted to marry.

8 Q. That was his intentions?

9 A. Yes, said that.

10 Q. Okay, I think I just have one other photograph  
11 here marked too. Think we're down to V, are we  
12 not?

13 - - - -

14 (Exhibit V marked for identification.)

15 - - - -

16 BY MR. CONNER:

17 Q. I want to show you what's been marked as  
18 Deposition Exhibit V which also is a  
19 photograph--

20 A. This is Rajesh with his sisters, two sisters.

21 Q. Understood.

22 A. And it's my three children.

23 Q. Okay, with regards to the date and time --

24 A. This is 2000 February.

25 Q. So this would have been taken --



1 A. February 28th. My husband died March 1st, no?  
2 So he came in February at that time. We had  
3 taken the photos. He is in there otherwise.

4 Q. Was he close to his sisters?

5 A. Eldest, the eldest sister, Rajesh, and Radhika.

6 Q. In regards to -- did he have a good  
7 relationship with his sisters?

8 A. Oh, he was a very -- he liked his sisters very  
9 much.

10 Q. That's all.

11 A. He sending money, no, he told to buy something  
12 to Radhika and Rajyalakshmi. I'll give some.

13 MR. CONNER: Mr. Chiodo will have  
14 some questions for you.

15 - - - -

16 CROSS-EXAMINATION

17 - - - -

18 BY MR. CHIODO:

19 Q. Good afternoon, ma'am.

20 A. Good afternoon.

21 Q. We just met this morning actually for the first  
22 time, and I want to again offer my sincerest  
23 condolences for the loss of your son in this  
24 accident.

25 Before we get started, I only have a

1           few questions, and I'll try to be brief. If  
2           you have any troubles understanding me, please  
3           let me know. Sometimes I have a tendency to  
4           speak quickly. And I may say something that  
5           confuses you, and I certainly don't want to  
6           mislead or confuse you, okay?

7                           Do you understand that you have the  
8           same right to use the interpreter if you need  
9           him?

10 A.       Interpreter.

11 Q.       I just want to make sure that I understand  
12           about your son and the education process.  
13           Let's start with education. As I understand  
14           it, in India, students are graded on a scale of  
15           zero to 100 percent; is that correct?

16 A.       Yes.

17 Q.       And in order to be considered in the first  
18           division or first class, there has to be a  
19           score greater than 60 percent?

20 A.       Yes, above 60 percent.

21 Q.       Sixty percent or above?

22 A.       Above, yes.

23 Q.       In order to be in the second class, what is the  
24           percentage?

25 A.       Between 50 and 60.

1 Q. Between 50 and 60?

2 A. Yes.

3 Q. Okay, just so I understand it, anything above

4 60 percent is the equivalent of first class?

5 A. Yes.

6 Q. Okay, now, in regard to your son when he was

7 living here in the United States, as I

8 understand it, he came to the United States and

9 lived in Detroit, Michigan, for a very short

10 period of time?

11 A. Yes.

12 Q. And that was less than -- a month or so?

13 A. Yes.

14 Q. And then he moved into the Boston,

15 Massachusetts area, correct?

16 A. Yes.

17 Q. And as I understand it, at the time of his

18 death, he was living in Boston, Massachusetts?

19 A. Yes.

20 Q. That's where he resided. That's where his home

21 was, correct?

22 A. Yes, yes.

23 Q. He had an apartment in Boston, Massachusetts?

24 A. Yes.

25 Q. Am I correct that your son never lived in

1 Pennsylvania?

2 A. No.

3 Q. He never lived here, correct, in the state of  
4 Pennsylvania?

5 A. No.

6 Q. And other than that one month when he first  
7 came to the United States in 1998 --

8 A. Yes.

9 Q. -- he never lived or had a residence in  
10 Michigan before his death?

11 A. Well, first -- first only he came. Afterwards,  
12 he's coming and going.

13 Q. But other than in the period in May, he never  
14 resided in Michigan?

15 A. No, no.

16 Q. And he didn't live in Michigan with anybody,  
17 correct?

18 A. No.

19 Q. He was a resident of Massachusetts, correct?

20 A. Yes.

21 Q. Okay, now, you were asked about your son's  
22 health, and you told me that he had good  
23 health?

24 A. Yes.

25 Q. And there was one question that I had in his --

1 if you refer to Exhibit A, it talks about his  
2 secondary education record.

3 A. Yes.

4 Q. And under the marks of identification, it  
5 indicates in the handwriting that there was a  
6 scar on his left cheek.

7 A. Little scar.

8 Q. Okay, what was that from?

9 A. Scar, it was by birth that that came.

10 Q. I'm sorry?

11 THE INTERPRETER: (Interpretation.)  
12 Something like you call a mole. By birth, you  
13 have that mark on your face, so that's like an  
14 identification mark.

15 BY MR. CONNER:

16 Q. I understand.

17 A. There's two identifications.

18 Q. That's what they're referring to. It's not a  
19 scar?

20 A. Scar, that's a mole, mole type.

21 Q. I understand. Now, I just want to make sure  
22 that the record is clear, still preserving my  
23 objection, but I want to make sure that the  
24 record is clear.

25 The only record of bank deposit that

1           you have indicating that -- that you've  
2           indicated was a record of money you received  
3           from your son would be the transaction of May  
4           17th, 2001, for roughly the equivalent of 4,000  
5           American dollars?

6 A.       Yes.

7 Q.       And that's the only record document that you  
8           have which would indicate that there was cash  
9           received from your son, correct?

10 A.      Yes, yes.

11 Q.      You have no records of any other cash  
12           transactions from your son?

13 A.      No.

14 Q.      And you have no other bank records of your own  
15           anyway --

16 A.      No, no.

17 Q.      Excuse me. Let me finish my question, please.  
18           You have no other bank records that would  
19           indicate cash deposits of moneys that you  
20           received from your son before his death?

21 A.      (Interpretation.) Money, we don't put in bank  
22           because tax will be there, so directly in  
23           spending, if any checks will be there, I put in  
24           bank.

25 Q.      Okay, but the only record that exists that we

1 have with us of any cash transactions with the  
2 bank would be the one transaction in Exhibit I  
3 that we looked at already today, correct?

4 A. Yes.

5 Q. All right, and just so that I'm clear, in --  
6 excuse me, in September of 1999, that was when  
7 you purchased of the flat that we were told  
8 about, correct?

9 A. Yes, yes.

10 Q. And at that point in time, your husband was  
11 still alive, correct?

12 A. (Interpretation.) Yes, he is alive.

13 Q. And as my understanding of your culture -- and  
14 please tell me if I'm wrong. But in your  
15 culture, the husband or the father is the  
16 person that's responsible for providing for the  
17 family, correct?

18 A. Father. But our culture, son only after -- the  
19 son, employment, son only will see the father  
20 and mother.

21 Q. I understand. But while the husband or father  
22 is still alive, it's his obligation under your  
23 culture to provide for his family, correct?

24 A. No, not like that. Father is also there. Son  
25 only will see. When Radhika's mother is dead,

1 Radhika, her husband. Son only will see the  
2 mother, mother and father, both, our custom.

3 Q. Okay, now --

4 A. Daughters won't see. Only son will see, father  
5 and mother both.

6 Q. Before you purchased the flat, and that was for  
7 the equivalent of about 8,000 American dollars  
8 -- correct?

9 A. Yes.

10 Q. Before you purchased that flat, who paid the  
11 rent?

12 A. Oh, father only.

13 Q. Your husband paid the rent?

14 A. Husband. He got until '97, he's getting money,  
15 little, little, but his works stopped. So he  
16 got less in works. So we were very tight in  
17 the money, for money.

18 Q. Okay.

19 A. From the time Rajesh went to America, he's  
20 sending money.

21 Q. And your son came to America in May of 1998?

22 A. Yeah. But sending America also, I take a loan  
23 from bank. That is 160. That means how much  
24 in -- I took out 3,500 millions dollar,  
25 millions money I take in loan for Rajesh.



1 Q. Okay, just so I'm clear, that's 3 million -- or  
2 3,000 millions? What was the amount of the  
3 loan?

4 A. 3,000 millions.

5 THE INTERPRETER: 1.5 million.

6 A. 1.5 million.

7 BY MR. CHIODO:

8 Q. That is that equivalent to the United States  
9 dollars

10 THE INTERPRETER: It comes to roughly  
11 around \$3,600 or so, around that.

12 BY MR. CHIODO:

13 Q. Okay, and is that how you sustained yourself,  
14 by taking out a bank loan?

15 A. A loan, I had taken.

16 Q. Now, again, I don't know if the jury is, and I  
17 want to make sure they're all clear with Indian  
18 custom. But the bank account that was in your  
19 name that we looked at the statement for, did  
20 you have your own separate bank account --

21 A. Yes.

22 Q. -- before your husband passed away?

23 A. Yes.

24 Q. You did?

25 A. Yes.

1 Q. So just so that I understand it correctly, you  
2 and your husband would have maintained separate  
3 bank accounts?

4 A. My husband's bank account is not there. My  
5 only, because Rajesh is sending in my name  
6 only.

7 Q. Okay, but my question was, did you and your  
8 husband have separate bank accounts before your  
9 husband passed away?

10 A. Of course.

11 Q. You did?

12 A. Pass away? Before that only, I got.

13 THE INTERPRETER: (Interpretation.)

14 Before that also, before Rajesh send also, they  
15 both had one account only, and it was in her  
16 name.

17 BY MR. CHIODO:

18 Q. And just so I'm clear, the bank that you had  
19 the statement from, Exhibit I here today,  
20 that's the only bank that you did your banking  
21 with?

22 A. Yes.

23 Q. Okay, and the records that we have reflect from  
24 January 4th of 2001 until April 30th of 2005?

25 A. Yes.